

Lawyers Dissent, Hold Rival Lunch

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The local bar celebrated Law Day yesterday—divided by a folding wall and a vast difference in philosophy.

About 100 lawyers, judges and administration officials gathered at the Sonesta Hotel for the usual luncheon sponsored by the D.C. and Federal Bar associations. They heard Assistant Attorney General Robert C. Mardian explain the government's "obligation" to gather domestic intelligence.

Next door (so close that the applause carried through the wall), a rump session of the Washington Council of Lawyers featured a dissenting view from Sen. Harold E. Hughes (D-Iowa) and Terry Lenzner, deposed director of the federal anti-poverty legal program. It drew a crowd three times as

large and had to turn others away.

Even the luncheon price was different. Swiss steak with the establishment legal groups cost \$6.50. The pot roast served to the other group, mostly young and liberal, cost \$6.

In one room, Hughes decried the Nixon administration's "trend toward repression" and compared the administration to "a giant glacier moving across the face of the land diminishing individual rights."

He complained of "the relentlessly increasing emphasis on wiretapping, bugging, no-knock entry, subpoena of private notebooks and tapes from news reporters (and) increased surveillance by the government of dissident political groups."

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Mardian, at almost the same moment on the other side of the wall, argued that "only through knowing the past conduct of individuals and the groups they lead can the responsible agencies determine whether an event planned by such a group will require a few policemen or the National Guard."

He portrayed the Justice Department as being on a constant search for "the fulcrum on which the constitutional rights of the dissenters and the constitutional rights of society balance."

The luncheon at which Hughes and Lenzner spoke was set up by the council of lawyers — a new organization of self-described "activist" lawyers here — specifically to protest the choice of Mardian, head of the Internal Security Division at Justice, by the bar associations as their Law Day speaker.

Mardian, it was acknowledged by a D.C. Bar spokesman, was "far from the first choice" for speaker. He was invited after Chief Justice Warren E. Burger and Mayor Walter E. Washington declined.

Guests at Luncheons

The official luncheon was attended primarily by older, established men in the profession.

Two Republican appointees to the U.S. Court of Appeals, for example, shared a table with Deputy Attorney General Richard G. Kleindienst.

Absent was Chief Judge David L. Bazelon of the Appellate Court, although the chief judges of the U.S. District Court, the D.C. Court of Appeals and D.C. Superior Court sat at the head table.

At the other luncheon were younger lawyers from private firms and government agencies, law clerks from federal courts here, the local staff of the American Civil Liberties Union, as well as a sprinkling of older lawyers from prestige firms.

Also attending was Clinton Bamberger, dean of the Catholic University Law School.

In the confusion, as the back-to-back luncheons began, two Justice Department lawyers mistakenly wandered into the wrong room. From the tenor of the table conversation, they discovered their error and then went next door to hear Mardian.

Hughes and Mardian, disagreeing about almost everything, each had his own view of the press.

The assistant attorney general, in answer to a question, accused the media of scaring the public about domestic intelligence gathering. As a result, he said, people "fear that what the media . . . say is going on is actually going on."

Hughes, on the other hand, said that the government is trying to "intimidate the communications media."

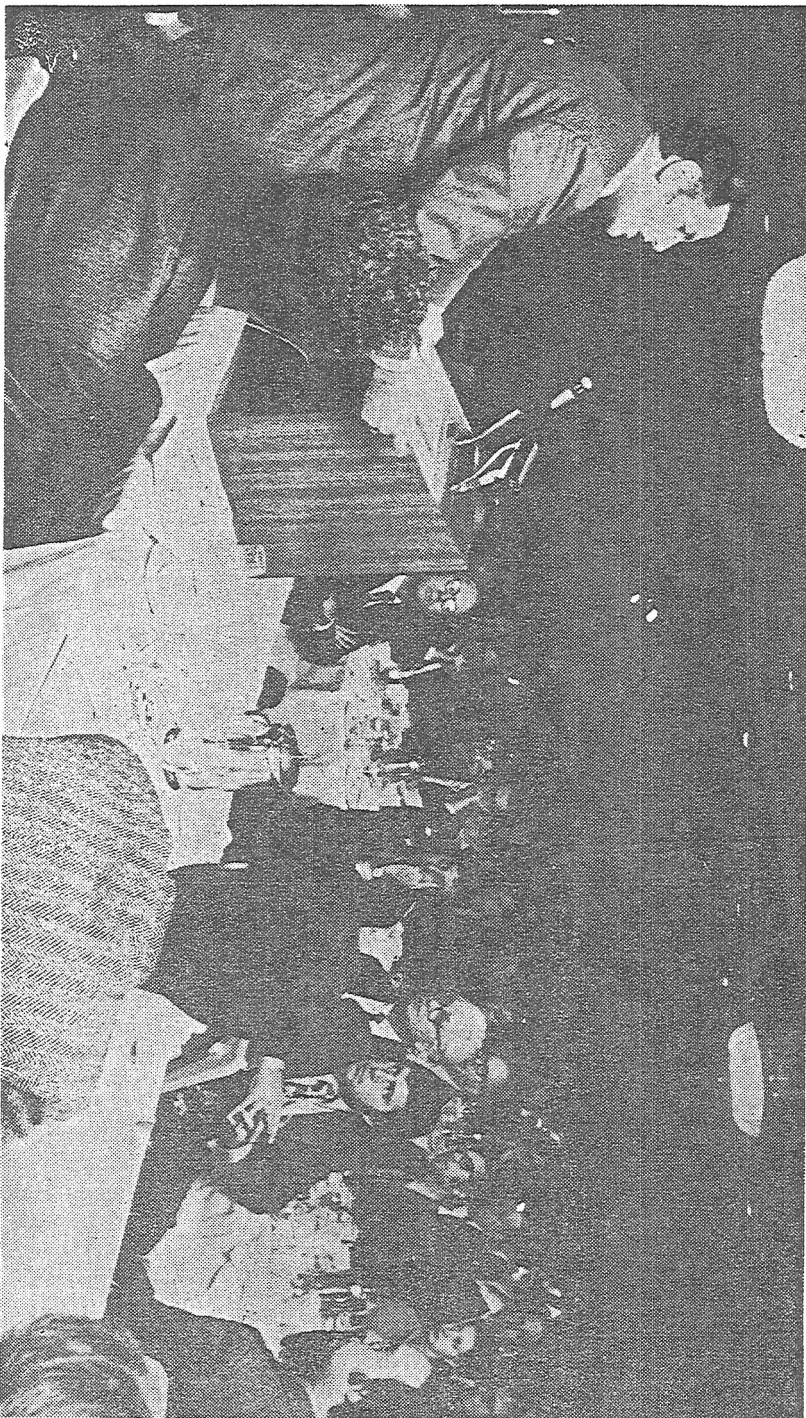
Beginning with a facetious welcome to "any members of the FBI," Lenzner told the council of lawyers that Mardian "symbolizes the breakdown of law and order in this country."

At about that time, Mardian was telling the older group that with "a responsible and efficient intelligent effort," the assassination of Sen. Robert F. Kennedy and the deaths of four students at Kent State University last year might have been avoided.



By Tom Allen—The Washington Post

Robert C. Mardian speaks to bar association groups.



Sen. Harold E. Hughes (D-Iowa) criticizes administration's "trend toward repression" at luncheon of a rump group of young lawyers.

By Tom Allen—The Washington Post